

## **1. Purpose and Need for the Proposed Action**

### **1.1 Introduction**

Big Bend National Park (BIBE) proposes to install a solar-powered radio repeater on the summit of Rosillo Peak. Potential impacts to the physical, biological and socio-economic environment are associated with the placement of the equipment and helicopter landing site.

The radio repeater would be located near the summit of Rosillo Peak, in Big Bend National Park, in Brewster County, Texas. BIBE is located approximately 230 miles south of Midland/Odessa, in the Trans-Pecos region of Texas (Appendix A, Figure 1). The proposed site is located in the northwest portion of BIBE, in the Rosillos Mountains (Appendix A, Figure 2). The total area of potential impact includes the radio repeater equipment installation, a helicopter landing site and corridor for foot traffic between the two. A potential impact area of 10,500 square feet (0.24 acres) includes the initial short-term impact during transport, staging, and assembly of the equipment platform, as well as a subsequent, long term impact for repeated maintenance visits to the repeater site.

The effectiveness and viability of the proposed repeater installation would be re-evaluated five years after implementation, if approved, because it is possible that technological improvements in communications could render the installation obsolete. At that time, a cost-benefit analysis would be conducted for the repeater to determine if the repeater is achieving the project objectives. Upon completion of this analysis, the repeater would either remain or be removed and the site restored.

### **1.2 Purpose and Need for the Radio Repeater on Rosillo Peak**

The National Park Service (NPS) currently maintains two radio repeaters on Emory Peak for NPS operations and law enforcement communications. Agencies in the Department of Homeland Security (DHS), including U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE), also utilize the radio repeaters on Emory Peak. These agencies will be collectively referred to as the DHS. Due to topography, this repeater site has a long history of "blind spots" and ineffective radio coverage. A "link" repeater was installed in the Persimmon Gap region of the Park, over ten years ago, to meet the coverage requirements. This repeater is aging and has become increasingly unreliable. The northern portion of BIBE, including the Rosillos Mountains, currently has no reliable radio coverage.

The terrorist attacks of September 11, 2001, have increased the demand to protect and patrol the international border. Since the attack, the Federal Bureau of Investigation (FBI) has contacted the park to inquire about installing a radio repeater to this part of the border to meet the demands of increased border security and support anti-terrorism efforts.

The installation of the radio repeater on Rosillo Peak would provide increased, reliable communications for the National Park Service (NPS), DHS and the FBI along this portion of the international border.

The purpose of the proposed radio repeater is to meet the need for more reliable communication along the international border and fulfill the objectives described below.

## **1.3 Objectives of the Action**

### **Enhancement of Visitor and Employee Safety**

The proposed installation would provide an additional radio repeater for the NPS. This linked communication system would provide mutual back-up should one of the repeaters become inoperable. This linked system would improve NPS responses to emergency situations and increase the chances of survival for park visitors and employees.

### **Increase Radio Coverage Area and Reduce “Blind Spots”**

The DHS conducted coverage plots to determine the best location for maximum radio coverage. It was determined that the topography of the Rosillos Mountains and Rosillo Peak would reduce the “blind spots” that currently exist on the northern half of the park with just the Emory Peak installation. Therefore, the combination of the Emory Peak radio repeater installation and the proposed installation on Rosillo Peak would increase the radio coverage area for the northern portion of the park and overall reduce poor or marginal areas of radio communication park-wide. However, it should be noted that the proposed Rosillo Peak installation would not increase the radio coverage or reduce the “blind spots” that currently exist south of the Chisos Mountains. (See Coverage Map 1, Appendix B)

### **Increase Radio Capability to Support Heavy Radio Traffic From Multiple Agencies**

The proposed installation consists of a large solar array and battery bank that would provide power reserves for consistent 24-hour operation. The large battery bank would also supply consistent power reserves during cloudy weather. The battery bank capacity is estimated at 900 to 1,000 hours.

### **Increase Communication Along the International Border**

The proposed installation would provide the radio coverage to satisfy the communication needs of the NPS, DHS, and FBI along the BIBE portion of the border. The proposed installation would improve agency coordination response to deter illegal activities associated with border activities, illegal immigration and smuggling with a goal of protecting and preserving park resources through improved interagency communications.

### **Improve Security at Communication Installations on the International Border**

The repeaters on Emory Peak do not have the level of security desired by Federal law enforcement agencies; however, the proposed installation site is located in a very remote, relatively inaccessible area of the park. Rosillo Peak receives few visitors per year due to its remoteness and difficulty of access. This remoteness would serve as a security feature to prevent equipment tampering.

### **Improve Safety for Maintenance Personnel at Communications Installations**

Maintenance of the current communications installation on Emory Peak is characterized by a single access trail with an approximate 60-foot rock face climb and sheer drops at the summit of the Peak. Maintenance activities include transportation of heavy, ungainly equipment to the summit via this trail. In addition, helicopter transport of equipment is dangerous and difficult. Equipment transported by helicopter has been lost off the summit in the past.

The proposed site is located near the summit of Rosillo Peak. The site consists of a large, level area with space for helicopter landing. The topography of the proposed site allows ample space for safe installation and maintenance of the communications equipment.

## **1.4 Early Agency Coordination**

The NPS coordinated with fourteen federal, state and local government agencies and tribal governments to identify potential environmental issues (See Chapter 5 for a list of all agencies and governments contacted). The NPS received eight response letters from various entities (See Appendix C).

The U.S. Fish and Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) were contacted regarding habitat and wildlife resources. The USFWS determined that no known endangered or threatened species or critical habitats are located at the proposed site. They recommend that presence/absence surveys be conducted and suggest further consultation if these resources are identified and would be impacted by the project. The TPWD stated that they do not anticipate impacts to endangered or threatened species at the proposed site and recommend precautions to avoid impacts if these resources are identified at the proposed site.

The Texas Commission on Environmental Quality (TCEQ) determined that Brewster County is unclassified or in attainment for all criteria air pollutants, so the proposed project is not subject to general conformity rules. The TCEQ also commented that particulate emissions are not anticipated to be significant. The U.S. Customs and Border Protection (CBP) and U.S. Environmental Protection Agency (EPA) had no comments on the proposed project.

The Natural Resource Conservation Service (NRCS) completed the AD-1006 form to determine the applicability of the Farmland Protection Policy Act. The NRCS stated that the soils at the proposed site are not classified as Important Farmland Soils. According to the NRCS, no prime, unique, statewide or local important farmland would be affected by the proposed project. The NRCS had no other environmental concerns.

The Texas Historical Commission (THC) determined that the known cultural resource near the proposed site would be significantly impacted by the proposed project. The NPS and THC coordinated on appropriate mitigation measures, should the proposed project be implemented. In addition to early agency coordination conducted for this Environmental Assessment (EA), the NPS consulted with various Tribal Historic Preservation Offices (THPOs) in accordance with Section 106 of the National Historic Preservation Act (NHPA). The NPS received responses from two THPOs, the Comanche Tribe of Oklahoma and the Mescalero/Lipan Apache Tribe. Initially, during early coordination period, the Comanche Tribe of Oklahoma commented that they were unable to make a determination of effect with the available information. Subsequently, following NPS consultation in accordance with Section 106 of the NHPA, Mr. Arterberry of the Comanche Tribe of Oklahoma requested that ground-penetrating radar be used to detect subsurface features. Also, he requested that all artifacts remain in-situ and a map completed of all archeological features. He requested the opportunity to review the map and documentation of archeological features prior to making a decision to alter the physical integrity of the site.

The Mescalero Apache THPO requested that another location be found for the radio repeater. They stated that Rosillo Peak lies within the Lipan Apache traditional homelands. Mountain peaks are sacred to the Apache people. In addition, the THPO stated that the presence of the State Archeological Landmark (SAL) located on Rosillo Peak lends to their belief that the Peak is a particularly important cultural resource. The THPO stated that the radio repeater would desecrate the sanctity of the spiritual nature of the Peak. The THPO requested that if the placement of the repeater were implemented, the Mescalero THPO would have an opportunity to review the archeological report that would be completed as part of the mitigation for the SAL.

## 1.5 Potential Environmental Issues

The NPS is required to comply with several environmental laws, regulations and policies for the proposed radio repeater project to proceed. This section describes the issues studied in detail in this EA and the issues that were eliminated from detailed study and the specific law and regulations associated with each resource, if applicable.

The Organic Act of 1916 establishes the NPS for the purpose of promoting and regulating the use of Federal areas that comprise the National Park System by such means and measures as to conserve the scenery and the natural and historic objects and wildlife within and to provide for their enjoyment in such a manner as will leave them unimpaired for the enjoyment of future generations. This act governs all NPS management decisions that affect the resources the NPS is mandated to conserve and protect. The NPS has issued General Management Policies that must be adhered to when making management decisions. To some extent, all resources would be affected by NPS management decisions.

The National Environmental Policy Act (NEPA) of 1969 is the governing legislation guiding the preparation of this document. NEPA requires that Federal agencies consider the potential effects of actions that might adversely affect the environment, and consider possible alternative courses of action to reduce impacts, before approving the project. Director's Order #12 (DO-12) provides guidance for the NPS for the preparation of NEPA documents including Categorical Exclusions (CE), EAs and Environmental Impact Statements (EIS).

### 1.5.1 Issues Studied in Detail

#### *Soil Resources*

There is no soil survey for Brewster County available from the NRCS (formerly the Soil Conservation Service). A soil survey of Big Bend National Park was completed by the Soil Conservation Service in 1985. However, the project area lies in a portion of the park that was acquired after the survey was completed; therefore, no soil survey of the project area is available. According to the BIBE survey of 1985, other areas in the region that resemble the project area in bedrock type, topography, elevation, slope and vegetation are described with the soil type Lajitas-Rock outcrop, hilly.

#### *Visual Resources*

Mountain peaks are traditionally a place where visitors to the park can climb and achieve an expansive view of the park and surrounding areas. Rosillo Peak is one of the few mountain peaks in the park where a visitor seeking a rewarding hike and unimpaired view can climb. The view from Rosillo Peak encompasses 360° with views of the surrounding desert and mountain ranges. Relevant visual resources also include the view of the peak from the surrounding desert.

#### *Cultural Resources*

Several laws and policies govern cultural resources. These include:

**National Historic Preservation Act (NHPA) (1966, amended through 2000) 16 USC Sec. 470:**

This act provides for the maintenance of a National Register of Historic places. This act provides for the protection of Registered sites and sites that are eligible for registration. This act directs federal agencies to consult with applicable historic and cultural agencies before implementing a federal action that could potentially impact registered sites or sites eligible for registration.

**Archeological and Historical Preservation Act of 1974 (PL 93-291; 16 U.S.C. 469):** The Archeological and Historic Preservation Act amended the 1960 Reservoir Salvage Act; provided for the preservation of significant scientific, prehistoric, historic, and archeological materials and data that might be lost or destroyed as a result of federally sponsored projects; provided that up to one percent of project costs could be applied to survey, data recovery, analysis, and publication.

**Archeological Resources Protection Act of 1979 (ARPA) (PL 96-95; 16 U.S.C. 470aa-11):** The goal of the Archeological Resources Protection Act (ARPA) is to protect archeological resources on public and Indian lands by establishing criminal and civil penalties for unlawful excavation, removal, or destruction of such resources, and sets up permitting policies through the appropriate land manager. This act defined archeological resources as any material remains of past human life or activities. It provided for the preservation and custody of excavated materials, records and data; provided for confidentiality of archeological site locations; encouraged cooperation with other parties to improve protection of archeological resources.

### ***Archeological Resources***

Archeological resources are the remains of past human activity. Archeological resources are typically buried but can extend above ground. They are commonly associated with prehistoric peoples, but can also be products of more contemporary society. (NPS-28)

A known archeological resource exists near the proposed site.

**American Indian Religious Freedom Act of 1978 (P.L. 95-341; 92 Stat. 469):** This act declared "the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express and exercise the traditional religions of their people, including, but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites."

### ***Ethnographic Resources***

Ethnographic resources are basic expressions of human culture and the basis for continuity of cultural systems. A cultural system includes both the tangible and the intangible. A cultural system includes native languages, religious beliefs, subsistence activities, and traditional arts. These manifestations of culture are supported by ethnographic resources such as structures with historical significance, ceremonial sites, traditional sacred places, and other special places in the natural world (NPS-28). According to NPS Management Policy 2001, Section 5.2.1, the NPS is required to consult with federally recognized American Indian Tribes regarding NPS plans that may affect the ethnographic meaning of these resources.

The proposed installation could compromise the traditional sacred meaning of Rosillo Peak to American Indian peoples. Archeological remains near the location suggest that gatherings took place in the past on Rosillo Peak. Therefore, in addition to the symbolic meaning of the mountain peak, the archeological remains are thought to add additional cultural significance. The proposed repeater installation would be located on a mountain peak that has religious significance to federally recognized tribal groups.

### ***Wilderness Resources***

**Wilderness Act of 1964 (P. L. 88-577, 16 U.S.C. 23.1131 – 23.1136):** This act declared the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. Wilderness areas are to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information

regarding their use and enjoyment as wilderness. The act prohibits intrusions into these areas including structures, roads, trails, use of motor vehicles, and landing of aircraft, except to meet the minimum requirements for the administration of the area.

A Wilderness Suitability Assessment was conducted in September 2002 for the area where the proposed installation site is located. A Wilderness Suitability Assessment is not complete until it is transmitted from the NPS Regional Director to the NPS Director in Washington D.C., approved by the NPS Director and published in the Federal Register. The Wilderness Suitability Assessment conducted for this area is not complete as of the date of this Draft EA. The Superintendent of BIBE determined that the area meets Suitability standards according to the Wilderness Act and NPS policies and the area is managed as "suitable" wilderness.

According to NPS Management policy, "the National Park Service will take no action that would diminish the wilderness suitability of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time, management decisions pertaining to land qualifying as wilderness will be made in expectation of eventual wilderness designation." "For the purposes of applying these policies, the term "wilderness" will include the categories of suitable, study, proposed, recommended, and designated wilderness." (NPS General Management Policies Section 6.3.1).

## *Biological Resources*

### ***Vegetation***

The project area is located in the Chihuahuan Desert. Vegetation in the Chihuahuan Desert varies depending on the elevation, proximity of water and other environmental variables. The TPWD categorizes the Trans-Pecos region of Texas with several vegetation types. The vegetation type that most closely resembles the vegetation observed at the proposed installation site is the Yucca-Ocotillo Shrub. Common species in this vegetation type include catclaw acacia (*Acacia greggii*), sotol (*Dasylirion* sp.), beargrass (*Nolina* sp.), cholla (*Opuntia* sp.), Torrey yucca (*Yucca* sp.), black grama (*Bouteloua eriopoda*), and chino grama (*Bouteloua ramosa*). Another vegetation type that is similar to the type found at the proposed installation site is the Creosotebush-Lechugilla Shrub. Plant species in this type include creosotebush (*Larrea tridentata*), yucca (*Yucca* sp.), pricklypear (*Opuntia* sp.), pitaya (*Echinocereus* sp.), chino grama (*Bouteloua ramosa*), range ratany (*Krameria* sp.), goldeneye (*Viguiera* sp.) and lechugilla (*Agave lechuguilla*). Observations were made to identify the general vegetative community around the proposed site.

### ***Wildlife***

**Migratory Bird Treaty Act of 1918 (16 U.S.C. §§ 703-712):** This act provides for the protection of migratory birds, part, nest, egg or product, manufactured or not. Under this act it is unlawful "by any means or manner, to pursue, hunt, take, capture, [or] kill" any migratory birds except permitted by regulation. Unintentional take constitutes a violation.

While minor modifications of habitat possibly used by migratory species may occur at the proposed site, habitat modification is not considered a "take". The Chihuahuan Desert is home to many species of birds, mammals, reptiles, and amphibians. Habitat types vary greatly depending on elevation and proximity to water sources. Mountain peaks in the Rosillos Mountains are generally characterized by rock outcroppings and sparse, low-lying vegetation such as cacti. Wildlife that typically utilize such habitats include insects, snakes, lizards, rodents, deer, mountain lions, javelina, and birds.

### ***Threatened and Endangered Species***

***Endangered Species Act of 1973 (16 U.S.C. 1531-1544):*** The Endangered Species Act of 1973 provides a means for the protection of listed endangered and threatened species of life, including vegetation and wildlife. It is comprehensive in that it also provides for the protection of the critical habitats on which these species depend on for survival.

A list of threatened and endangered species that may occur in Brewster County, Texas, is included as Table 3.1.

### ***Health and Safety***

BIBE receives approximately 330,000 visitors per year and employs approximately 297 permanent and seasonal employees and volunteers. The health and safety of visitors and employees is the primary concern of NPS, BIBE and other law enforcement agencies.

### ***Recreational Opportunities and Experience***

The accessibility of BIBE provides opportunities to experience the park through many types of recreational activities. Recreational activities available at Rosillo Peak include backpacking, hiking, camping, wildlife watching, photography and solitude. Although the public has unrestricted access to the peak, there are no maintained trails on Rosillo Peak. The hike to the peak is strenuous and recommended for very experienced hikers only. No maintained campsites are located on the peak. The proposed action would alter the pristine condition of the peak.

Mountain peaks represent a unique environment for all human beings to meditate and connect with the natural world. People are increasingly seeking these sites in this modern age of technology and threats of terrorism. Mountain peaks are sought for their outstanding views, pristine conditions, symbolic meaning and as places for meditation. Although the proposed action would not affect the opportunities for recreation by placing restrictions on access of the site, it would impact the recreational experience of the peak.

## **1.5.2 Issues Eliminated From Detailed Study**

### ***Cultural Resources***

#### ***Cultural Landscapes***

Cultural landscapes are settings humans have created in the natural world that reveal the relationship between people and the land, based on our need to grow food, form communities, and meet recreational needs. Landscapes are defined by the intertwining patterns of things that are constructed by people and the natural environment. (NPS-28)

The proposed project is located in a remote area of BIBE. This installation would have a negligible effect on the cultural landscape of the Big Bend region.

#### ***Historic Structures***

Structures are material assemblies that extend the limits of human capability. A historic structure includes buildings, bridges, ships, monuments and other such items that connect people with their history. (NPS-28)

There are no known historic structures, recorded or observed, at the proposed site. The proposed action would have no impact on historic structure resources of the park.

### ***Museum Collections***

Museum collections are objects that are records of behavior and ideas. They are the evidence of technological development, scientific observation, personal expression, and daily habits of a culture. (NPS-28)

The proposed action is located in a remote area of the park. No museum collections or facilities are located in the area of potential effect; therefore there would be no impact on existing museum collections if the proposed action were implemented. Should the proposed action be approved, archeological mitigation required under NHPA Section 106 might generate a small collection. The generation of additional museum collections is assessed under separate Section 106 compliance.

### ***Floodplains***

**Executive Order 11988, May 1977 (Floodplain Management)**: This EO directed federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.

The proposed site is located near the summit of Rosillo Peak, at 5,449 feet above sea level. The nearest major water body is the Rio Grande located approximately 33 miles south of the site. The proposed site is not located within the 100 or 500-year floodplain. There would be no impact on floodplains if the proposed action were implemented.

### ***Prime and Unique Farmlands***

**Farmland Protection Policy Act (PL 97-98; 7 U.S.C. 4201 et seq.)**: As a result of a substantial decrease in the amount of open farmland, the Farmland Protection Policy Act was put forth by Congress to minimize the conversion of farmland to non-agricultural uses that occurs through Federal activities.

The Natural Resource Conservation Service (NRCS) administers this act. The NRCS was coordinated with regarding the proposed action. The NRCS determined that no prime or unique farmlands are present at the proposed site. No impacts to farmlands would occur if the proposed action were implemented.

### ***Water Resources and Wetlands***

**Federal Water Pollution Control Act Amendments of 1972 and subsequent amendments in 1977, known as the Clean Water Act (CWA)**: The CWA regulates pollutant discharges into waters of the U.S. from point sources and non-point sources. The CWA also regulates discharges of dredged and fill material into jurisdictional wetland resources.

No pollutant discharges are associated with the proposed project, and no surface water bodies are located at the proposed site. No impacts to water resources are anticipated.

According to the Natural Resource Conservation Service (NRCS), no soils in the project area are classified as hydric soils. According to the USGS topographic map, no springs or other water sources are located in the project area. No wetland vegetation was observed during the field survey of the proposed site. No impacts to wetland resources are anticipated.



### *Fisheries Resources*

No water bodies are located at or near the proposed site. No significant ground disturbance would be conducted, so no sedimentation would be expected in downstream water bodies. No fisheries resources would be impacted by the proposed project.

### *Noise*

The proposed site is located in a very remote area. No anthropogenic noise sources are located within 1 mile of the site. The project consists of installing a solar-powered radio repeater. No generators or other machinery that generates noise would be installed at the site.

Noise impacts associated with helicopter trips for installation and maintenance would be negligible and temporary. No potential noise receivers are located within close proximity. Wildlife would likely be only temporarily displaced by the noise of the helicopter. Disturbance to park visitors would be negligible due to the infrequent helicopter trips and low visitor use of this area.

### *Hazardous Materials*

The proposed site has historically been undeveloped and has not been associated with any known activities or past uses that involved the generation, storage, or disposal of hazardous materials. The site visit did not reveal any evidence of activities or uses that involved the generation, storage, or disposal of hazardous materials. The proposed project would involve placing batteries at the site. These batteries are sealed and stored inside a metal box. The integrity of these batteries would be monitored during maintenance trips and are not expected to impact resources at the peak.

### *Infrastructure Improvements*

The proposed site is located in a very remote area of BIBE. There are no roads, trails, utility corridors or other infrastructure improvements at the proposed site. The proposed project does not include construction of any permanent structures or improvements. The radio repeater would be solar-powered with battery banks, so no electrical transmission lines would be constructed. A permanent foundation would not be constructed because the weight of the installation is sufficient to anchor it and the platforms are modular with adjustable legs. No permanent helipad would be constructed for the site. The landing site would be marked with portable, flat paving stones.

The proposed radio repeater facility would consist of two prefabricated platforms with several components including solar panels, battery boxes, and radio equipment cabinets. The platforms are minimal in nature, with adjustable leveling legs. The installation would have eight points of contact with the ground. The installation is open and would allow water and diffuse light to pass through to the ground (Appendix A, Figure 4). The weight of the installation is sufficient to anchor it to the ground; therefore, no digging or excavation would be performed. No heavy equipment, such as cranes or bulldozers, would be used to install the platforms.

### *Minerals and Energy Resources*

No impacts to minerals or energy resources are anticipated at the proposed site.

### *Architectural Resources*

The proposed site is historically undeveloped. No structures are located at the proposed installation site or within 1 mile of the site.

## *Air Resources*

**Air Quality Act of 1967, as amended, the Clean Air Act (CAA) of 1990:** This act was enacted to protect the quality of the Nation's air resources and the public health and welfare. The CAA regulates the air emissions from sources and sets national standards on the amounts of certain pollutants that are allowed anywhere in the United States. The Act mandates that the EPA identify and set standards for criteria air pollutants.

No motors or other mechanized equipment, such as cooling fans, would be located at the proposed site. No emissions of criteria air pollutants are associated with the proposed project with the exception of helicopter emissions. These are anticipated to be negligible. The batteries that would be used for the installation are sealed lead-acid batteries, which prevents a release of corrosive acid fumes and other gases. The proposed site is located in an area that is in attainment for criteria air pollutants; therefore, the proposed action is not subject to general conformity rules.

## *Wild and Scenic Rivers*

The Rio Grande Wild and Scenic River (WSR) is under the administration of Big Bend National Park. The Rio Grande WSR is located approximately 33 miles south of the project area and extends from Mariscal Canyon in the park to the Terrell-Val Verde county line in Texas for a total of 196 miles of river.

The proposed project would not impede the natural flow or disturb the primitive shoreline or scenic qualities of the Rio Grande WSR.

## *Wind*

The proposed radio repeater would have two antennas, each approximately 20-feet tall. Due to the relatively short height, wind impacts as a result of the installation are not anticipated. The antennas would be anchored to the platform.

## *Environmental Justice*

**Executive Order 12898, February 1994 (Federal Actions and Environmental Justice):** This EO directs federal agencies to identify and address any disproportionately high and adverse human health and environmental effects of its programs, activities and policies on minority and low-income populations.

The proposed site is located in a remote area of BIBE. The United States Census Bureau has no census tract for the proposed site. No human communities exist at the proposed site; therefore, no communities would be divided or displaced. The proposed action has no disproportionate or adverse impacts associated with minority or low-income populations.